

A D D R E S S

TO THE

P E O P L E O F P E N N S Y L V A N I A

AND

THE UNITED STATES.

BY

THE PENNSYLVANIA SOCIETY FOR THE SUPPRESSION OF
LOTTERIES.

Philadelphia:

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1834.

AT A MEETING OF THE BOARD OF MANAGERS
of '*The Pennsylvania Society for the suppression of Lot-
teries,*' held at Philadelphia, July 24, 1834,

J. R. TYSON, Esq., from the committee appointed for
that purpose, reported and read the following '*Address to the
People of Pennsylvania and the United States.*'

Whereupon it was ordered that the address be approved,
and that 2500 copies thereof be published for general distribu-
tion, together with a list of the officers of the society, and the
recent laws of Pennsylvania and Massachusetts, abolishing
lotteries.

From the minutes,
A. SYMINGTON, Secretary.

ADDRESS.

J R. Tyson

THE undersigned have been charged by "The Pennsylvania Society for the suppression of Lotteries" with the duty of laying before the people of Pennsylvania and the United States, the general evils of the lottery system, in connexion with the reasons and objects of their own association. In the performance of the function assigned them, they cannot perhaps do better than to present, as introductory to both, a succinct history of their efforts to abolish lotteries in this state. This appears to be the more necessary, because their designs have been impugned and misrepresented, and because a simple narrative must, in its relations, shed light upon the general question in its various aspects.

From causes to which it is here unnecessary to advert, Pennsylvania, in the latter part of the year 1821, became a mart for nearly all the lotteries in the United States. Although the laws were armed with severe penalties to punish the sale of *foreign* tickets, the evil, in a few years, became so excessive that the drawings of at least fifteen prohibited lotteries were regularly announced, in this city, quite as a matter of course, throughout the

year. Our streets were overrun and deformed by lottery offices. The effects of so extensive a traffic were obvious. They were seen in the number of insolvents; in the multiplication of tippling-houses; in the desolation, want and misery of the domestic fireside; in the increase of pauperism, immorality and crime. Efforts were made to stop the progress or restrain the influence of this desolating scourge, but without success. Transgressors had so long enjoyed impunity that they almost claimed it by prescription. No prospect presented but passive submission to a state of things at once pernicious and disgraceful. The traffic had so mingled itself with the feelings of our citizens that *hundreds of persons* were known to pursue the purchase of lottery tickets as a regular means of subsistence. The subject at length attracted the attention of a number of gentlemen who aimed at remedying the evil by its extirpation. In the year 1831, these gentlemen issued a report upon the illegality, abuses, and mischiefs of the system. They likewise addressed to the legislature a memorial in which they enforce, in strong language, the necessity for its immediate interposition. These contributed to rouse the public to the magnitude and means of eradicating a disease, which, as men happened to view it, had been esteemed either as very trivial or altogether incurable. Other publications were issued under the same sanction, and followed by similar results. On the first day of March, 1833, a law was enacted, declaring all lotteries in Pennsylvania unauthorized and illegal. The act was not to go into effect until the 31st day of the subsequent December, thus allowing, to persons engaged in the lot-

terry business, a period of ten months for the selection of some other and more useful pursuit. It had been in operation only a few weeks, when intimations were made that it was violated. To avoid, if possible, the necessity of instituting prosecutions, offenders were warned through the public prints of the consequences likely to ensue from disregarding a statute so highly penal in its character. Notwithstanding this humane caution, accompanied as it was by the republication of the act itself, assurances were daily received that the violations were unremitting and extensive. Much expense had been incurred and labour expended, and the legislature, after mature deliberation, had solemnly declared that lotteries were detrimental to the interests of society. The supposed benefits arising to the cause of internal improvements in Pennsylvania, were, in its opinion, countervailed by their injurious effects. The question then occurred whether something worse than the former condition of things could be passively tolerated? Whether Pennsylvania should be allowed to contribute to the public improvements of Delaware, Maryland, Virginia, Rhode Island, and other places, in a way which she had emphatically denied to herself? Whether, in a word, she should pour her treasures into the lap of other states, for the purpose of obtaining all the evils, without any of the promised advantages of the system? No alternative remained but to rest satisfied with an act, which, while it denounced high penalties against offenders, was to lie inoperative and despised upon the statute-book, or to make a vigorous effort to carry it into execution. As no disposition was

felt to accept of a *nominal* abolition, a mere ideal shadow, while we had been struggling for the substance, the present association was formed. One of its express and fundamental purposes is, to aid the public authorities in carrying the law into effect, and as connected with this, to promote the enactment of similar laws, and the formation of similar societies throughout the union.

Soon after the institution was organized by the adoption of rules and the election of officers, abundant proof was furnished that it had not been formed in vain. Four persons, who, we had reason to believe, had followed as a business the sale of tickets, were apprehended and held to bail in considerable sums. One of these has been already convicted at the recent session of the Mayor's Court, and sentenced to undergo imprisonment in the county gaol for the period of three months. In the prosecution of its objects, the association is resolved to encounter, with all its energies, the labour it has undertaken; and to put in requisition all the honourable means it can employ, to vindicate the majesty of the law by dragging its offenders to punishment.

The history of the lottery system in Pennsylvania and other states, clearly demonstrates that a milder policy, a less uncompromising principle of action, would leave domestic legislation ineffectual and powerless. In this state foreign tickets have been prohibited from the earliest period, and from the earliest period have been extensively and even openly sold. The violations of the law of 1833, so fearful in penalties, furnish additional evidence of the inadequacy of unaided legislation. In Massachusetts, after the legal abolition

of their domestic system, and the prohibition of foreign tickets, the painful case of Ackers occurred, at once a melancholy instance of their baneful and ruinous effects. It was ascertained by a committee of the legislature appointed soon after this case of embezzlement and suicide became known, that the traffic was carried on to a very great extent, and that in the city of Boston alone, it then exceeded *a million a year*. Nothing less than super-added guards and penalties, assisted by a society modelled upon similar principles with our own, could stop so devious and headlong a torrent. These, it is supposed, have at length excluded it from the limits of Massachusetts. In New York, though the system is legally at an end, and the revised Constitution disables the legislature from ever making a lottery grant, there is reason to believe that the law would be infringed but for the existence and patriotic exertions of a similar society. No grant is in being in New Hampshire, and the sale of foreign tickets is made penal by successive acts of the legislature. But in open defiance of law, tickets, up to a recent period, were sold by nearly every bookseller in the state; and the mania for lottery speculation pervaded almost every class of the community. A like remark is applicable to New Jersey. No grant is known to be in operation; urgent applications for the privilege have been repeatedly refused; and a pecuniary penalty is annexed by law to the sale of foreign tickets. In the face of this prohibition, the traffic is carried on without even the appearance of concealment, and every art is employed to extend and ramify the business. In Ohio, Vermont, Maine, Michigan, Louisiana, and Connecticut,

the lottery system is destroyed, so far as its destruction can be effected by the simple authority of law. We have no precise information whether in these states the law is observed or infacted, but judging from what has taken place elsewhere, and the adventurous spirit of the trade, it is feared that the abolition is merely nominal. The importance and necessity of forming associations to guard these states from the evils they are anxious to eschew—to guard their citizens from injury and their laws from violation—need scarcely be pressed by formal argument. Experience, that sure teacher, has fully proved that personal vigilance will always be requisite to prevent the sale of tickets, since it can never with safety be remitted or relaxed, until the system is exploded in every section of the confederacy.

When this desirable result shall be attained, it is difficult to conjecture. The lottery system, at present, prevails in about half the states in the union. In Virginia, it is highly probable that its career will have a brief continuance. In North Carolina and Illinois it is already virtually abolished. It is pleasing to anticipate the triumph of correct principles, not only in these, but in all the other states, so far as to induce the legal extirpation of so ruinous and destructive a policy. Why it should receive the sanction of law in this country after the sad experience of England, whence it was derived, can only be explained by ascribing it to the distorted visions of erroneous economists or the insidious influences of evil example.

The evidences of its corrupting tendency and inefficiency, as a financial resort, are almost too numerous

and palpable to require exposition. We may, however, be permitted to refer to the 'Survey' published by the gentlemen who now form the Society for the suppression of lotteries, as furnishing many *examples* of its direful and pernicious results. In that work are recorded nearly one hundred *cases*, each sufficiently authenticated, of pecuniary or moral ruin occasioned by indulgence in lottery speculations. Where the victim of this false and seductive game is unsuccessful, as must happen from necessity in the proportion of almost ninety-nine cases to a hundred; he is incited by the temptations of desire to new trials of his fortune; each shred and fragment of his dwindling property is put under contribution, and recklessly staked, till the last is exhausted. His mind debased by evil companionship and idle habits, and enervated by illusive calculations and inordinate hopes, is robbed of its native virtues and its native strength. He sinks a worthless, abject, and degraded wretch into voluntary pauperism, or is driven to the commission of vices and crimes which render him the disgrace of his friends and the bane of his country. When *good fortune*, so called, is the fate of the adventurer, it is, perhaps, invariably followed by the ruin of his virtue and his peace. It raises him to a sudden pinnacle which renders him dizzy; he looks with contempt upon the humbleness of useful labourers below. His brief career, marked by wasteful extravagance and licentious folly, ends in bankruptcy. From the dreams which he has indulged, and the habits he has fostered, he is rendered completely the sport, as he has been the victim of chance; he is ready to go whithersoever the tide of

accident or passion may carry him. We do not draw from fancy an overcharged and visionary picture; the reality far transcends the feebleness of such a portraiture. Out of the many examples we might adduce, we present one which may suffice. A man of correct and attentive habits, who kept a shoe store in this city, and was known to be doing well, ventured, two or three years ago, in the lottery, and drew a prize of thirty thousand dollars. He abandoned his business, commenced a course of prodigality and excess, and grew very intemperate. He ately died insolvent of *mania a potu*. Such instances might be multiplied, but we forbear in an address of this nature.

The effects of the lottery are not confined to the adventurer alone. The domestic misery it entails, the dark passions which it engenders and cherishes, are to be read in the hapless story of many an ill-fated family. It is only necessary to peruse well authenticated examples of its influence to be satisfied, that it presents in the aggregate as much and diversified wretchedness, as much and multiform vice and crime as any engine which the genius of man has invented for the affliction and debasement of his fellow. One trait of the lottery, as distinguished from other gaming is, that it leads into its vortex the poor, the laborious, and the simple, no less than the swaggering gamester, the idler, and the libertine. By the minute subdivision of tickets, a chance is brought within the means of the chimney-sweep, the servant, and the apprentice. When by successive losses these means are exhausted, they resort to theft with the view to a further venture. Again they are disappointed, and

again they steal, until by repetition the sense of honesty is blunted or gone; they increase in the amount and character of their frauds until they become fit inmates of a prison or penitentiary.—But unheeding distinction or restraint, it ascends to the elevated stations in society. The desire of immediate wealth is often found to be irresistible. This desire, by indulgence, becomes an engrossing passion. Speculations in the lottery can be carried on in secret. It is thus that even the most estimable men are decoyed from the path of virtue and propriety, who would shrink from the infamy of ordinary gambling; they embark by little and little; an occasional gleam of *good fortune* and the flattering promises of their lottery friends, keep alive, in its intensity, the ardour of hope, until they grow desperate, and are ruined.

If it be thus injurious to the citizen, the objects for which it is intended, the public purposes to which it is applied, furnish little palliation. If it be an engine of private mischief, it is little apology to say that it was designed for a public good. But in the examination of the public benefits it confers, we shall find that the lottery system, considered as a public measure, is as deceptive and illusory as the promises which each successive scheme holds out to its votaries. In England, it is acknowledged, that it occasioned a positive loss to the government, by producing an amount of pauperism which its profits were wholly insufficient to countervail. In this country, when we consider its pervading and undistinguishing influence, the victims it allures, the extent to which they adventure, and its calamitous effects, as shown by the records of our insolvent courts, almshouses,

and prisons, there can be little doubt that a computation would lead us to the same result. The benefits to the community accruing from lottery grants, have been sadly overrated. In many instances, they not only scatter far and wide the seeds of poverty and ruin to the purchasers of tickets, but they produce insolvency in the recipients of the grants themselves. Witness the declarations of Yates & M'Intyre, in their petitions to the legislature of Pennsylvania, on the subject of their contract with the Union Canal Company. Two lotteries of Maine, authorised in the year 1831, after issuing schemes to the amount of \$60,000, were able to leave only the miserable pittance of \$14 21 in the treasury, after paying the disbursements. The Plymouth Beach Lottery, authorised by the legislature of Massachusetts, in the year 1812, issued schemes in the course of nine years, amounting to \$886,439 75. The whole sum realized to the town of Plymouth, from these large issues, was the inadequate total of \$9,876 17. A still more striking illustration is presented in the case of the Union Canal Company. The grant was originally to two companies, who, between the years 1795 and 1811, a period of sixteen years, succeeded in raising the sum of \$60,000. At the latter period referred to, the grant which terminated with the last year, was made to the existing corporation for the purpose of raising \$340,000. In the twenty-two years, during which this grant was in existence, schemes were issued, exceeding the frightful aggregate of *thirty-three millions of dollars*, without yielding to the company the sum authorized by the grant.

It is evident from this exhibition, that either from the

enormous expenses incident to the system, or from the extravagant and defective mode of its administration, prodigious sums are extracted from the people without a corresponding return—that schemes may be issued amounting to thousands, without producing a *single hundred* to the object in view! Considered as a tax, or a means of revenue, it is to be deemed unwise, impolitic, and defective, since, by the immense assessments which it imposes, it must exhaust the pecuniary abilities of a people. It is unequal in its operation, because it is not a burden levied with justice in proportion to the amount of property enjoyed, but comes from the idleness, the poverty, and the recklessness of its contributors. As it depends for its encouragement upon vice or credulity, it must impart aliment to those dispositions and qualities, the prevalence of which is indispensable to its success.

In this connexion are to be viewed its effects upon those public institutions, whose end is to elevate the character of the citizen, and to arrest the career of vice and crime. Public schools, houses of refuge, and penitentiaries for solitary confinement, have all a common object. They exist by the public bounty, and rest upon the admitted principle, that virtue is necessary to the permanence and enjoyment of free institutions. Does not the lottery system conflict, in all its remote bearings and immediate results, with the success and policy of these? Why should money be expended in the suppression of vice and the encouragement of virtue, while a system is protected and sanctioned for raising money out of the most pitiable weaknesses of the mind and the worst passions of the heart? If the public coffers be an object,

superior in importance to popular virtue, why are immense sums expended in the establishment of charitable and philanthropic foundations? If revenue is to be put in competition with morals, it would be well, for the sake of legislative consistency, to break up those schemes of benevolence for the improvement of morality and the melioration of intellect, which require the expenditure of money in their cultivation. The more the subject is considered, the committee are persuaded, the more indefensible it will appear in itself, the more incongruous with the general spirit of our institutions, the more at variance with the happiness of the people, and the more inimical to the welfare of the country. It is respectfully submitted to the patriotism of those states in which it exists, that in destroying the lottery they only weed out a poisonous exotic, whose noxious and rank luxuriance in pervading the land and blighting all our indigenous fruits, shows itself to be wholly unsuited and repugnant to the genius of the American soil.

On behalf of "The Society for the Suppression of Lotteries."

ISAAC COLLINS,
MATTHEW NEWKIRK,
JAMES J. BARCLAY,
GEORGE M. STROUD,
WILLIAM M. MEREDITH,
JOB R. TYSON,

Committee.

(No. 1.)

List of Officers of "The Pennsylvania Society for the Suppression of Lotteries," for the year 1834.

PRESIDENT—Thomas C. James.

VICE-PRESIDENTS—Alexander Henry, B. W. Richards, Thomas P. Cope,
Abraham Miller.

COUNSELLORS—W. M. Meredith, G. M. Stroud, J. R. Tyson.

SECRETARIES—Geo. Handy, John M. Atwood.

TREASURER—Thomas Earp.

MANAGERS.

Joseph Watson,	Isaac Collins,	John U. Fraley,
Matthew Newkirk,	Josiah White,	Abraham Hilyard,
Silas W. Sexton,	Townsend Sharpless,	G. W. Blight,
William Hodgson,	Edward Needles,	Fred. Fraley,
J. J. Barclay,	John S. Henry,	John Wiegand,
Robert Earp,	Joseph Warner,	Jacob Lex,
A. Symington,	Geo. Williams,	Thomas Astley,
Geo. W. Smith,	Barth. Wistar,	Edward Yarnall,
Joel Atkinson,	Hartt Grandom,	Samuel L. Shoer,
Isaiah Hacker,	Henry Troth,	Wm. M'Main.

(No. 2.)

*An Act for the Abolition of Lotteries in Pennsylvania.—**Passed the first day of March, 1833.*

Whereas, by certain acts of Assembly heretofore enacted, the right to raise, by way of lottery, certain sums of money, was granted to the Union Canal Company of Pennsylvania: And whereas, it appears to the Legislature that the said right has been fully exercised and exhausted: And whereas, all other rights to raise money by lottery, heretofore granted by the Legislature, have either been exercised or exhausted, or have been abandoned, and it being the intention of the Legislature to put an entire stop to the evils arising from lotteries and the sale of lottery tickets:

SECT. 1. Be it enacted, by the Senate and House of Representatives of the Commonwealth of Pennsylvania, in General Assembly met, and it is hereby enacted by the authority of the same, That from and after the thirty-first day of December, one thousand eight hundred and thirty-three, all and every lottery and lotteries, and device and devices in the nature of lotteries, shall be utterly and entirely abolished, and are hereby declared to be thenceforth unauthorized and unlawful.

SECT. 2. And be it further enacted by the authority aforesaid, That from and after the day aforesaid, any person or persons who shall sell or expose to sale, or cause to be sold or exposed to sale, or shall keep on hand for the purpose of sale, or shall advertise or cause to be advertised for sale, or shall aid or assist, or be in any wise concerned in the sale, or exposure to sale, of any lottery ticket or tickets, or any share or part of any lottery ticket, in any lottery or device in the nature of a lottery within this commonwealth, or elsewhere, and any person or persons who shall advertise or cause to be advertised, the drawing of any scheme in any lottery, or be in any way concerned in the managing, conducting, carrying on, or drawing of any lottery or device in the nature of a lottery, and shall be convicted thereof in any court of competent jurisdiction, shall, for each and every such offence, forfeit and pay a sum not less than one hundred dollars, and not exceeding ten thousand dollars, or be sentenced to undergo an imprisonment not exceeding six months, at the discretion of the court.

*An Act for the Suppression of Lotteries in Massachusetts.—**Passed the 23d day of March, 1833.*

SECT. 1. Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, That from and after the passing of this act, if any person shall make, sell, or offer for sale; or shall have in his possession with intent to sell, offer for sale, or negotiate; or be in any wise aiding or abetting in the sale of any lottery ticket, or part of any lottery ticket, or of any certificate, bill, token, or security, purporting to entitle the owner, bearer, holder, or any other person, to any share or interest in any prize to be drawn in any lottery not authorized by the laws of this commonwealth; or shall draw, or aid or assist in drawing any such lottery; or shall aid or be concerned in the managing or conducting of any such lottery; or shall knowingly suffer or permit the selling of any lottery ticket, or the drawing or managing of any such lottery, in any house, store, or other building, owned, rented, or occupied by him, within this commonwealth; or shall knowingly suffer or permit any lottery ticket or part of a lottery ticket to be raffled for or won by throwing dice in any house, shop, or other building owned, rented, or occupied by him within this commonwealth, every such person shall forfeit and pay a sum not less than *one hundred dollars*, nor more than *two thousand dollars*, to be recovered by indictment or information, before any court of competent jurisdiction; one half of said fine or forfeiture for the use of the commonwealth, and the other half to the person or persons who shall prosecute therefor: And if any person, who shall have been arrested for an offence under this section, and been convicted thereof, shall, after such arrest commit either of the offences aforesaid, he shall, in addition to the fines and forfeitures aforesaid, be sentenced for every subsequent offence to labour in the house of correction, (or to the common gaol, if tried in any county where no house of correction shall have been established,) for a term of time not less than *three months*, nor more than *twelve months*.

SECT. 2. Be it further enacted, That from and after the passing of this act, if any person shall advertise or cause to be advertised, for sale, any lottery ticket, or part of any lottery ticket, or any certificate, bill, token, or security, purporting to entitle the owner, bearer or holder, or any other person, to any share or interest

in any prize, to be drawn in any lottery not authorized by the laws of this commonwealth; or shall exhibit any sign, symbol, or other emblematic representation, of a lottery, or of the drawing of a lottery, or in any way indicating where any such lottery ticket or part of a lottery ticket, certificate, bill, token, or security, may be purchased or received, or shall in any manner invite or entice others to purchase or receive any such lottery ticket, part of a lottery ticket, certificate, bill, token or security; such person shall forfeit and pay, for each and every such offence, a sum not less than *thirty dollars*, nor more than *one hundred dollars*, to be recovered by information or indictment before any court of competent jurisdiction; one half of said fine or forfeiture for the use of the commonwealth, and the other half to the person or persons who shall prosecute therefor.

SECT. 3. Be it further enacted, That, from and after the passing of this act, if any person shall make, sell, or offer for sale, in this commonwealth, any fictitious lottery ticket, or part of such ticket, or any ticket or part of any ticket in any fictitious or pretended lottery, knowing such ticket or lottery to be fictitious, or in any lottery not authorized by the Legislature of one of the United States, knowing the same not to be so authorized; or shall make, sell, or offer for sale, any fictitious certificate, bill, token or security, or shall receive any money or other valuable consideration for any such ticket or part of a ticket, certificate, bill, token or security, knowing the same to be fictitious, purporting that the owner, bearer, or holder thereof, or any other person, is or shall be entitled to receive any prize or part of a prize that may be drawn in any such lottery; or shall make or have in his possession, with intent to sell or negotiate, any such fictitious ticket or part of a ticket, bill, token or security, knowing the same to be fictitious—every person so offending, and being thereof convicted, before any court of competent jurisdiction, shall be punished by imprisonment and confinement to labour in the State Prison, for a term of time not less than one year, nor more than three years. And, upon the trial of any prosecution for either of the offences described in this section, whether by indictment or information, any ticket or part of a ticket, certificate, bill, token, or security purporting to entitle any person to any prize, or part of any prize that may be drawn in any lottery, and which the defendant shall have been proved to have sold, or offered for sale, or for which he shall have received any valuable consideration, shall be deemed to be false, spurious, fictitious, and pretended, unless the defendant shall prove that the same, when it was sold, or offered for sale by him, was an original and genuine ticket, or part of a ticket, in a lottery authorized by the Legislature of one of the United States, existing and undrawn at the time of sale, or offered for sale, and binding upon the managers of such lottery or other person or persons authorized by the Legislature of such State, to issue such ticket, or part of a ticket. And any person or persons who

shall prosecute to conviction any one who may have committed either of the offences described in this section, shall be entitled to receive from the treasury of the commonwealth the sum of fifty dollars for every such conviction, and a warrant shall be granted therefor, upon the certificate of the judge of the court before which the conviction shall have been had, that such person or persons are entitled to such reward, as such prosecutor or prosecutors.

SECT. 4. Be it further enacted, That, on complaint of the violation of any of the provisions of this act, made under oath or affirmation to any justice of the peace, or of any justice of any Police Court, such justice shall issue a warrant for the apprehension of the offender or offenders, and if he see cause, shall bind over said offender or offenders, to the next Court of Common Pleas, to be held within the county where the offence shall be alleged to have been committed, or to the Municipal Court of the city of Boston, if within the county of Suffolk, to be tried for such offence.

SECT. 5. Be it further enacted, That all money received by any inhabitant of this Commonwealth, or by any person residing therein, for or on account of any prize or part of a prize, that may have been drawn or pretended to be drawn by or upon any real or fictitious ticket or part of a ticket, certificate, bill, token or security, in any real or pretended lottery, purchased or received within this commonwealth, shall be forfeited to the commonwealth, and may be recovered for the commonwealth, from the person who shall have received it, by information filed in any court of competent jurisdiction, or it may be recovered in any such court, by an action for money had and received, in the name of the commonwealth, by any attorney thereof.

SECT. 6. Be it further enacted, That all acts heretofore passed for the regulation and suppression of lotteries, be, and they hereby are repealed, except in so much as they may affect any actions, suits, informations or indictments that may have been commenced under the sanction of such acts respectively.

